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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,693	12/08/2004	Gerhard Kraus	71613	1929
23872	7590	09/06/2006	EXAMINER	
MCGLEW & TUTTLE, PC P.O. BOX 9227 SCARBOROUGH STATION SCARBOROUGH, NY 10510-9227			EDMONDSON, LYNNE RENEE	
			ART UNIT	PAPER NUMBER
			1725	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/517,693

Applicant(s)

KRAUS, GERHARD

Examiner

Lynne Edmondson

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/8/04, 5/16/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 14 is objected to because of the following informalities: The claim depends from itself. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Pinchon (FR 2712833 A, IDS).

Pinchon teaches a machining unit comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (abstract and figure 1) .

4. Claims 1, 2 and 5-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaczmarek et al. (USPN 5152050).

Kaczmarek teaches a machining unit for large objects (col 3 lines 15-29) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 3, col 2 lines 45-65 and col 5 lines 21-68). The turning units comprise replaceable gripping tools, which are stored in the working area (col 7 line 61 – col 8 line 15). Components are fed into the work area (col 4 lines 1-45 and col 6 lines 10-28) and completed parts are transferred away from the work area (col 6 line 54-col 7 line 5 and col 9 lines 35-68). One of the stations may perform welding (col 7 lines 25-36) .

5. Claims 1-3, 7, 9 and 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Laurino (US 2003/0183361 A1).

Laurino teaches a machining unit comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable, articulated arm robots (figures 1-3 and paragraphs 28-30 and 33). Components are fed into the work area and completed parts are transferred away from the work area (paragraphs 23 and 62-64).

6. Claims 1, 2, 7-9, 11, 12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Angel (US 2002/0134815 A1).

Angel teaches a machining unit for large objects (figure 2) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 1 and paragraphs 10-13). Components are fed into the work area and completed parts are transferred away from the work area (paragraphs 12, 13 and 18). One of the stations may perform welding (paragraph 23) .

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaczmarek et al. (USPN 5152050).

Kaczmarek teaches a machining unit for large objects (col 3 lines 15-29) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 3, col 2 lines 45-65 and col 5 lines 21-68). The turning units comprise replaceable gripping tools, which are stored in the working area (col 7 line 61 – col 8 line 15). Components are fed into the work area (col 4 lines 1-45 and col 6 lines 10-28) and completed parts are transferred away from

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the work area (col 6 line 54-col 7 line 5 and col 9 lines 35-68). One of the stations may perform welding (col 7 lines 25-36) . However there is no disclosure robot load capacity.

It would have been obvious to one of ordinary skill in the art at the time of the invention that the robots are heavy-load robots capable of carrying at least 500kg or 1100 pounds as they are used for moving farm equipment and vehicle parts (col 3 lines 15-30).

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Angel (US 2002/0134815 A1).

Angel teaches a machining unit for large objects (figure 2) comprising one or more machining stations with robots, at least one turning station with two work stations, movable turning units with gripping tools and with intersecting turning units. The turning units comprise rotatable robots (figure 1 and paragraphs 10-13). Components are fed into the work area and completed parts are transferred away from the work area (paragraphs 12, 13 and 18). One of the stations may perform welding (paragraph 23) . However there is no disclosure robot load capacity.

It would have been obvious to one of ordinary skill in the art at the time of the invention that the robots are heavy-load robots capable of carrying at least 500kg or 1100 pounds as they are used for vehicle parts (figure 2).

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Katayama et al. (USPN 6421893 B1), Kilabarda et al. (USPN 6932263 B2), Noh et al. (USPN 4701994, replaceable tools, feed and storage) and Harlow, Jr. et al. (USPN 5645884).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynne Edmondson whose telephone number is (571) 272-1172. The examiner can normally be reached on Monday through Thursday from 6:30 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Lynne Edmondson  
Primary Examiner  
Art Unit 1725

*LE*  
*8/31/06*

LRE